

# Notice of Allowability

Application No.

09/929,859

Examiner

Jonathan Ouellette

Applicant(s)

EXALL ET AL.

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/18/2007.
2. ☒ The allowed claim(s) is/are 1 and 3-95.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

## DETAILED ACTION

### *Request for Continued Examination*

1. The Request filed on 2/14/2007 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/929,859 is acceptable and a RCE has been established. An action on the RCE follows.

### *Response to Amendment*

2. Claim 2 has been cancelled. Therefore, Claims 1, and 3-95 remain pending in application 09/929,859.
3. The Applicant has requested that the amendment submitted 2/14/2007 be entered; however, the amendment is identical to the amendment submitted 1/18/2007, and the amendment submitted 1/18/2007 was submitted in the correct format (amended subject matter underlined – Amendment entered 2/14/2007 non-compliant). **Therefore, the amendment submitted 1/18/2007 will be entered.**

### *Claim Rejections - 35 USC § 103*

4. The rejection of Claims 1-95 under 35 U.S.C. 103(a) as being unpatentable over Fetherston (US 2004/0010517 A1), is withdrawn due to Applicant's amendments.

### *Allowable Subject Matter*

5. **Claims 1 and 3-95 are allowed.**

6. The following is an examiner's statement of reasons for allowance:
7. As per **independent Claims 1, 75, 90, and 94**, the prior art does not teach or suggest a method (system, computer readable storage environment) of facilitating compliance with employment laws having varying requirements, and establishing such compliance with accessed process documentation that *is provided and maintained by an employment law information source external to the employer*, as claimed by the independent claims.
8. **Fetherston (US 2004/0010517 A1)** discloses a method (system, computer readable storage environment) of facilitating compliance with employment laws having varying requirements, and establishing such compliance, the method comprising the steps of: a) receiving a request to interact from an agent of an employer, wherein the received interaction request comprises an action indicator corresponding to a selected employment action (employee interacts with GUI); b) providing access to process documentation related to a process associated with the selected employment action, wherein the process is designed to minimize potential for non-compliance with the employment laws (health and safety, etc.), wherein the process documentation guides the agent through the process via interactions between the agent and the process documentation via the user input and output devices (wizard), wherein the accessed process documentation is provided by an employment law information source external to the employer (system uses and is based on externally established legislation, Para 0029, Para 0050); c) storing information related to agent interactions with the process documentation in a compliance data store (slave database); d) generating a compliance report based upon the stored interaction information (Para 0012, Claim 1-2).

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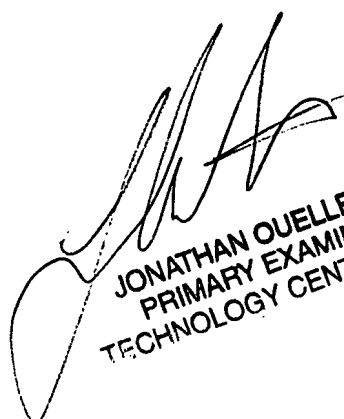
9. Fetherston fails to expressly disclose sending the generated compliance report to one or more report agents of the employer via an output device associate with each.
10. However, Fetherston does disclose wherein generating reports required to render the organization compliant to legislative requirements (Para 0012, Claim 2), and it would have been obvious to one of ordinary skill to further forward the report to a “report agent” for record keeping and data verification purposes.
11. However, Fetherston fails to expressly disclose establishing compliance with accessed process documentation that *is provided and maintained by an employment law information source external to the employer*, as claimed by the independent claims, as claimed by the independent claims.
15. The remaining dependent Claims 3-74, 76-89, 91-93, and 95 are considered allowable, as they are dependent and based off of an allowable independent claim.
16. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
20. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

April 29, 2007



JONATHAN OUELLETTE  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600